

Delegate Koger.

DELEGATE KOGER: Mr. Chairman and ladies and gentlemen, I sincerely hope that you will take out of the constitution this ban against lotteries. First of all, I feel that it has no place in the constitution. In the second place, there is no prohibition of other sins we have in the constitution. Why pick this one out and say we are going to have a ban on lotteries.

In my opinion there are many reasons why the people of Maryland should have an opportunity to decide for themselves where they should have it, and the best place to do it is through the General Assembly.

THE PRESIDENT: Any other delegate desire to speak in support of the section?

Delegate Bamberger.

DELEGATE BAMBERGER: Mr. Chairman, I share Delegate James' concern that this does cause continuing pressure on the legislature. I also share Delegate Ulrich's concern about private lotteries.

What has particularly bothered me about this, and I hope that the chairman of the Committee on Finance and Taxation would respond to this, was when we adopted this on second reading, Mr. Clarence Miles, the chairman of the Governor's Commission studying gambling and crime in this State, somehow or other read this provision to mean that we had authorized the operation of private lotteries. That has bothered me, and I think it has bothered some other delegates.

I hope Delegate Sherbow would respond. I did not understand that. I have never heard that particular problem debated on this floor.

THE PRESIDENT: Does any other delegate desire to speak in opposition?

Delegate Hardwicke.

DELEGATE HARDWICKE: Mr. President and ladies and gentlemen, all of the reasons that have been advanced for keeping this plank in this constitution it seems to me are highly fallacious. First of all it is said that lotteries are evil. All right, maybe they are. Then why not collect all of the things that we think are evil and put a plank in the Constitution about them and forbid them. Why pick out this particular item? How much time did we have in our committees to demonstrate whether it was evil or not? How much do we know

and how much has been provided for us individually to show us?

Secondly, the legislature would be under pressure. All right, let us pick out all of the things that would put the legislature under pressure and forbid those in the Constitution.

I submit that we have not attempted in any area to pick out the evils. We have not tried to protect the legislature from pressure. This is an exceptional thing that is asked of us here, and there is no reason advanced for the exception.

Now, let me say this, we are in our closing hours of this Convention. Think back in your minds of the things that you would like to have seen in this Constitution which have been knocked out by those people who say it is not proper for a constitution to contain them. Think back. How many things have you lost on that argument? And I urge you, where you have lost the things that you have wanted on that argument, the argument ought to be applied straight across the board, and non-constitutional things, things not of constitutional stature, should be omitted from this document. That is the sole test.

If you were in the legislature, yes, I would be here urging you to vote against lotteries. This is not a legislature. This is a constitutional convention. It has no business in the constitution.

THE PRESIDENT: Delegate Gleason.

DELEGATE GLEASON: Mr. Chairman and fellow delegates, I am frankly amazed that there are forty-four people in this assemblage who would take what I consider a very likely possibility of throwing away four months of work to drop out of the constitution at this time something that has been in there for decades and decades. I think that perhaps we are forgetting one fact that Chairman Sherbow mentioned when this matter was before us on second reading. We sit here today with the adoption of this constitution with a new principle governing local governments. That principle is one of shared power. No longer do we talk of lotteries in connection with our state government, but we must consider lotteries in connection with powers shared equally with the state government by twenty-four counties of the State.

We do not need time on this issue. We have gone through a decade of time on slot machines in the State of Maryland, and by golly, if you think this is not an issue that every minister, every clergyman in the